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BY JOHN LEO

Playing the bias card

Is it reasonable for a university to insist that campus Christian groups accept non-Christian or anti-Christian students as group leaders? Ask a hundred ordinary Americans and you would very likely get 99 or 100 noes. Ask Rutgers University, though, and you'd get an answer that would earn a *summa cum laude* for political correctness.

In September, Rutgers banned a Christian group from using campus facilities and stripped the group of university funding because it selects leaders on the basis of religious belief. Rutgers is punishing the InterVarsity Multi-Ethnic Christian Fellowship for violating the university's nondiscrimination policy. That policy states that "membership, benefits, and the election of officers" cannot be biased on the basis of race, sex, handicap, age, sexual orientation, or political and religious affiliation. "Political and religious affiliation" is not really the sticking point at Rutgers, though the antidiscrimination language here would require a Democratic club to allow a Republican president, a Jewish group to allow a Holocaust-denying president, and a Muslim group to accept a leader who believes in Christianity, animism, or voodoo.

The real intention is to break or banish religious groups with biblically based opposition to homosexuality. Using apparently noncontroversial antidiscrimination rules, this tactic pressures a group to deny its own reading

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of Scripture. Evangelical groups have been the primary target. Two high-profile efforts to coerce campus evangelicals failed—two years ago at Tufts and last week at the University of North Carolina-Chapel Hill.

A threat. A month ago, UNC-Chapel Hill threatened to revoke university recognition of the InterVarsity Christian Fellowship unless it modified its charter by January 31 and waived its doctrinal requirements for leadership positions. But the university backed off after evangelicals and the Philadelphia-based Foundation for Individual Rights in Education (FIRE) filed suit in the Rutgers case.

FIRE sent UNC-Chapel Hill Chancellor James Moeser a friendly warning letter on December 27; three days later Moeser capitulated. He said the university opposes discrimination but wishes "to uphold the principles of freedom of expression," so it is withdrawing the threat against the evangelicals. "UNC couldn't defend in public what it was willing to do in private," says Alan Charles Kors, president of FIRE. "Everybody on campus would immediately see the absurdity . . . if an evangelical Christian who believed homosexuality to be a sin tried to become president of a university's Bisexual, Gay, and Lesbian Alliance. The administration would have led candlelight vigils on behalf of diversity and free association."

At Tufts, a student tribunal defunded and "derecognized" an evangelical group for refusing to allow a bisexual member to become a leader in the group. The group said it knew that the bisexual woman was "exploring sexuality" and had no trouble with it and made no effort to expel her. But while the group supported gay rights, it also said it could not accept a leader who challenged the group's conclusion that homosexuality is incompatible with Scripture. By ruling against the evangelicals (without a hearing), Tufts in effect said that the Christian group would have to abandon its principles to remain on campus. Tufts backed down under pressure from FIRE and David French of Lexington, Ky., lawyer for the evangelicals.

The primary lesson here is not that universities are torn between freedom of religion and anti-bias rules. Rather the lesson is that administrators are willing to respond to a powerful campus group, the gay lobby, at the expense of one that is weaker and usually disfavored on campus. Though written in the bland language of brotherhood, antidiscrimination laws give critics of private groups "a public hammer with which to beat groups they oppose," says Richard Epstein, professor of law at the University of Chicago. They also provide a way for outsiders to reach into a dissenting group to determine its membership, policies, and officers.

Using a verbal screen of "diversity," "fairness," and "nondiscrimination," university officials delegitimize religion by substituting campus orthodoxy for

religious principles. Even if a university feels torn, says French, its antidiscrimination rules shouldn't trump the First Amendment's protection of freedom of religion, association, and speech. Antidiscrimination laws are in fact becoming a threat to these freedoms.

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